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1925 NW AmberGlen Parkway, Suite. 230  
Beaverton, OR 97006  
(503) 439-8778 (Telephone)  
(503) 439-6073 (Facsimile)

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## **FACSIMILE TRANSMITTAL SHEET**

Date: 11/1/04 Time: \_\_\_\_\_  
Deliver to: T. Ghebretinsae. Art Unit 2600  
Company Name: PTO  
Fax Number: 703-872-9306 Telephone No.: 571-272-3017  
From: Kristin Moreau  
Number of pages including cover sheet: 16

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**ATTORNEY CONFIDENTIAL**

Page 1 of 10

Urgent

Confidential

Date: 4/23/2004

To:

Fax:

Derek Watson

(503) 684-3245

From:

M/S:

Tony Martinez

FAX: (480) 554-7738

CH6-404

PHONE: (480) 552-0624

Subject: PS113 Response. Please fax today (4/23) if possible or by Monday 4/26 at the latest ,  
mail me a copy of what you file, and update db. Please fax to 703.308.7952  
Board of Patent Appeals and Interferences. Thanks.

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# BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP

TELEPHONE: (503) 684-6200

INTELLECTUAL PROPERTY LAW  
12400 WILSHIRE BOULEVARD, 7TH FLOOR  
LOS ANGELES, CA 90025

FACSIMILE: (503) 684-3245

## **FACSIMILE COVER SHEET**

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Deliver to: T. Ghebretinsae, USPTO Art Group: 2631  
Facsimile No.: 703-308-7952 Date: April 23, 2004  
From: Philip A. Pedigo, Reg. No. 52,107  
Our Docket No.: 42390P5113 Number of pages 13 including this sheet.  
Application No.: 09/002,648 Filing Date: 1/5/1998  
Docket Due Date(s): 4/24/2004

Enclosed are the following documents:

- Amendment: \_\_\_\_\_ ( \_\_\_\_ pgs)
- Appeal Brief (in triplicate) ( \_\_\_\_ pgs)
- Application: \_\_\_\_\_  
( \_\_\_\_ pgs) w/cover & abstract)
- Assignment & Cover Sheet ( \_\_\_\_ pgs)
- Certificate of Facsimile \_\_\_\_\_
- Continued Prosecution Application (CPA)
- Declaration & POA ( \_\_\_\_ pgs)
- Drawings: \_\_\_\_ sheets, \_\_\_\_ figures
- Extension of Time: \_\_\_\_\_
- Fee Transmittal (in duplicate)
- IDS & PTO/SB/08 ( \_\_\_\_ pgs)
- Other - Response After Decision on Appeal (9 pages) \_\_\_\_\_
- Issue Fee Transmittal
- Notice of Appeal
- Petition for: \_\_\_\_\_
- Request for Continued Examination (RCE)
- Reply Brief ( \_\_\_\_ pgs)
- Request & Certification Under 35 USC 122(b)(2)(B)(i)
- Request to Rescind Previous Nonpublication Request
- Response to Notice of Missing Parts & Formalities Letter
- Response to Written Opinion ( \_\_\_\_ pgs)
- Terminal Disclaimer
- Transmittal of Publication Fee Due
- Transmittal Letter

***CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8A)***

*I hereby certify that this correspondence is being transmitted by facsimile on the date shown below to the United States Patent and Trademark Office.*

Derek S. Watson

04/23/2004

Date

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If you do not receive all the pages, or if there is any difficulty in receiving, please call: (503) 684-6200 and ask for Derek S. Watson.

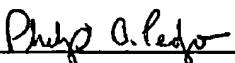
**TRANSMITTAL FORM***(to be used for all correspondence after initial filing)*

		Application No.	09/002,648
		Filing Date	January 5, 1998
		First Named Inventor	David Horne
		Art Unit	2631
		Examiner Name	T. Ghebretinsae
Total Number of Pages in This Submission		Attorney Docket Number	42390P5113

**ENCLOSURES (check all that apply)**

<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Response	<input type="checkbox"/> Petition	<input checked="" type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	<b>- Response After Decision on Appeal (9 pages)</b>
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s)	
<input type="checkbox"/> PTO/SB/08		
<input type="checkbox"/> Certified Copy of Priority Document(s)		
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application		
<input type="checkbox"/> Basic Filing Fee		
<input type="checkbox"/> Declaration/POA		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		
Remarks		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual name	Philip A. Pedigo, Reg. No. 52,107 <b>BLAKELY, SOKOLOFF, TAYLOR &amp; ZAFMAN LLP</b>
Signature	
Date	April 23, 2004

**CERTIFICATE OF MAILING/TRANSMISSION**

I hereby certify that this correspondence is being transmitted via facsimile on the date shown below to the United States Patent and Trademark Office.

Typed or printed name	Derek S. Watson		
Signature		Date	April 23, 2004

Based on PTO/SB/21 (02-04) as modified by Blakely, Sokoloff, Taylor & Zafman (wtr) 02/10/2004.  
SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

# FEE TRANSMITTAL for FY 2004

Effective 01/01/2004. Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27.

**TOTAL AMOUNT OF PAYMENT** **(\\$)**

Complete if Known	
Application Number	09/002,648
Filing Date	January 5, 1998
First Named Inventor	David Horne
Examiner Name	T. Ghebretinsae
Art Unit	2631
Attorney Docket No.	42390PS113

**METHOD OF PAYMENT (check all that apply)**

Check  Credit card  Money Order  Other  None  
 Deposit Account

Deposit Account Number **02-2666**

Deposit Account Name **Blakely, Sokoloff, Taylor & Zafman LLP**

The Commissioner is authorized to: (check all that apply)

Charge fee(s) indicated below  Credit any overpayments  
 Charge any additional fee(s) or underpayment of fees as required under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20.  
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account

**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)
1001	770	2001	385
1002	340	2002	170
1003	530	2003	285
1004	770	2004	385
1005	160	2005	80

SUBTOTAL (1) **(\\$)****2. EXTRA CLAIM FEES**

Total Claims	Extra Claims	Fee from below	Fee Paid
<input type="text"/>	20*	= <input type="text"/>	X <input type="text"/>
Independent Claims	3	= <input type="text"/>	X <input type="text"/>

Multiple Dependent

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)
1202	18	2202	9
1201	88	2201	43
1203	290	2203	145
1204	86	2204	43
1205	18	2205	9

SUBTOTAL (2) **(\\$)**

\*or number previously paid, if greater. For Reissues, see below

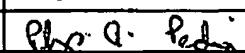
**3. ADDITIONAL FEES**

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)
1051	130	2051	65
1052	50	2052	25
2053	130	2053	130
1812	2,620	1812	2,520
1804	920*	1804	920*
1805	1,840*	1805	1,840*
1251	110	2251	65
1252	420	2252	210
1253	950	2253	475
1254	1,480	2254	740
1255	1,210	2255	805
1404	330	2401	185
1402	330	2402	185
1403	290	2403	145
1451	1,510	2451	1,510
1452	110	2452	55
1453	1,330	2453	885
1501	1,330	2501	665
1502	480	2502	240
1503	840	2503	320
1460	130	2460	130
1807	50	1807	60
1806	180	1808	160
8021	40	8021	40
1808	770	1809	385
1810	770	2810	385
1801	770	2801	385
1802	900	1802	900
Other fee (specify) _____			

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) **(\\$)****SUBMITTED BY**

Complete (If applicable)

Name (Print/Type)	Philip A. Pedigo	Registration No. (Attorney/Agent)	52,107	Telephone	(503) 684-6200
Signature				Date	04/23/04

Based on PTO/SB/17 (10-03) as modified by Blakely, Sokoloff, Taylor & Zafman (wir) 02/10/2004.  
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